



City of Huntington Beach Planning Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Ethan Edwards, AICP, Associate Planner *EE*
DATE: January 12, 2010

SUBJECT: **NEGATIVE DECLARATION NO. 09-001 / GENERAL PLAN AMENDMENT NO. 09-001 / CONDITIONAL USE PERMIT NO. 09-003 / DESIGN REVIEW NO. 09-008 (GOLDENWEST ASSISTED LIVING)**

APPLICANT: Douglas Pancake, AIA, Irwin Pancake Architects, 245 Fischer Avenue, Suite B-2, Costa Mesa, CA 92604

PROPERTY

OWNER: Paul Freeman, Burke Real Estate Group, 260 E. Baker Street, Suite 100, Costa Mesa CA 92626

LOCATION: 17200 Goldenwest Street (east side of Goldenwest Street, between Warner Avenue and Betty Drive)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

The property owner, Burke Real Estate Group, proposes to construct an approximately 116,670 sq. ft. assisted living/convalescent facility with 144-beds within 124 rooms on a 2.71 acre (118,193 sq. ft.) site. The proposed assisted living/convalescent facility includes senior assisted living and Alzheimer's/memory care components with occupant living spaces including 13 studio units, 85 one-bedroom units, and 23 two-bedroom units; communal dining and kitchen areas; social activity rooms; housekeeping areas; courtyard and garden; and, ancillary offices. Approximately 70 people will be employed within the facility and a maximum of 36 employees per shift at peak times at the facility. The site is located on the east side of Goldenwest Street, between Warner Avenue and Betty Drive and currently not utilized (formerly the Patti's Preschool & Kindergarten location).

An approximately 116,670 sq. ft. building is proposed to be generally located in the center of the site, with a varying footprint that resembles an "S" configuration allowing for greater building undulation and wall offsets. The maximum proposed height is 38'-11" to accommodate three-stories but tapers down to a maximum of 10'-6" within 45 ft. of the southerly property line (Attachment No. 4).

Vehicular access to the site is provided via two drive approaches off of Goldenwest Street. The primary drive approach is located at the center of the site. This drive approach provides access to a turnabout drop-off and pick-up location leading to the main entrance of the facility and a two-lane drive aisle that leads south and continues around the inside perimeter of the site, ultimately ending at the secondary drive approach at the northern end of the site. A total of 48 parking spaces would be accessed along this drive.

The project applicant is proposing to amend the existing General Plan floor area ratio (FAR) designation from 0.35 maximum FAR (F1) to 1.0 maximum FAR (F3) to be consistent with the Zoning FAR of 1.0. The project requires the following entitlements:

Negative Declaration No. 09-001 represents a request for the following:

- To analyze the potential environmental impacts associated with the construction of an assisted living/convalescent facility.

General Plan Amendment No. 09-001 represents a request for the following:

- To amend the General Plan FAR designation from the existing CO-F1 (Commercial Office-0.35 Max. FAR) designation to the proposed CO-F3 (Commercial Office-1.0 Max. FAR) designation. The amendment would make the General Plan and Huntington Beach Zoning & Subdivision Ordinance FAR designations consistent.

Conditional Use Permit No. 09-003 represents a request to construct an assisted living/convalescent facility that consists of:

- 124 rooms
- 144 beds
- 48 parking spaces for occupants and visitors.
- Outdoor amenities such as courtyard, gardens, and playground.
- Indoor amenities such as communal dining areas, social activity rooms, housekeeping and ancillary offices.

Design Review No. 09-008 represents a request for the following:

- To review the design, colors, and materials of an 114,000 sq. ft. assisted living/convalescent facility with 48 parking spaces and associated site improvements.

CURRENT LAND USE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	CO-F1 (Commercial Office-0.35 Max FAR)	CO (Commercial Office-1.0 Max FAR)	Vacant (formerly Patti's Preschool & Kindergarten)
North of Subject Property (adjacent)	CG-F1 (Commercial General - 0.35 Max FAR)	CG (Commercial General)	Commercial (The Home Depot)
South of the Subject Property (adjacent)	RL-7 (Residential Low Density-7 du/ac)	RL (Low Density Residential)	Single-family Residential (off of Betty Drive)
East of Subject Property (adjacent)	P-RL (Public-Residential Low Density)	PS (Public Semipublic)	School (Ocean View High School)
West of Subject Property (across Goldenwest Street)	RMH-25 (Residential Medium High Density-25 du/ac) RL-7 (Residential Low Density-7 du/ac)	RMH (Residential Medium High Density) CO (Commercial Office) RL (Low Density Residential)	Multifamily Residential Office Building Single-family Residential

A broad range of uses exist in the vicinity of the project site, on both sides of the Goldenwest Street corridor, including public/semipublic – Ocean View High School (adjacent) to the east; general commercial – Home Depot (adjacent) to the north; low-density residential (adjacent) to the south; and a mix of low and medium-high density residential and commercial office to the west (across Goldenwest Street).

The site is currently not utilized, but formerly used by a private daycare/preschool. Conditional Use Permit No. 98-84 was approved in February of 1999 and permitted a 4,320 sq. ft. daycare facility for approximately 70 children per day. The daycare/preschool operated at this location until March of 2007 and then the business moved to a new location. In 2008 the existing structures were demolished and the site has been vacant and not used since. Currently, an existing paved area covers the western and southern area of the site and remnant foundations from previous buildings remain near the southern one-third portion of the site. Existing landscaping on the site consists of some mature trees and shrubs within landscape areas bordering Goldenwest Street, and across the eastern portion of the property.

APPLICATION PROCESS AND TIMELINES

<u>DATE OF COMPLETE APPLICATION:</u>	<u>MANDATORY PROCESSING DATE(S):</u>
Negative Declaration: September 21, 2009	Within 180 days of complete application
General Plan Amendment: September 21, 2009	Not Applicable
Conditional Use Permit: September 21, 2009	Within 180 days of complete application

Pursuant to the California Environmental Quality Act, the lead agency must complete and approve the project within 180 days of accepting the application as complete. The Planning Commission public hearing is tentatively scheduled for January 26, 2010.

CEQA ANALYSIS/REVIEW

Negative Declaration No. 09-001 analyzes the potential environmental impacts associated with implementation of the proposed project. Staff determined that no potentially significant impacts are anticipated and that no mitigation measures are necessary. On December 14, 2009 the Environmental Assessment Committee reviewed Environmental Assessment No. 09-001 and approved the processing of a negative declaration. The Planning Department advertised draft Negative Declaration No. 09-001 for 30 days commencing on Thursday, December 17, 2009, and ending Tuesday, January 12, 2010. As of January 5, 2010, no comment letters were received.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

Comments from other City Departments have been transmitted to the applicant separately, and in addition, have been compiled into a code requirements letter transmitted to the applicant (Attachment No. 5). In addition, the evaluation of environmental factors included in Negative Declaration No. 09-001 reflect and are based in part on consultation with the Departments of Building and Safety, Community Services, Fire, Police, and Public Works. There are no other responsible public agencies. The final list of recommended conditions of approval is currently being compiled.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

The Design Review Board (DRB) reviewed the proposed project design at their meeting on November 12, 2009, and unanimously recommended approval with conditions (Attachment No. 6). Also, in an effort to reach out to the surrounding community, the applicant sent notice and held a public neighborhood meeting on June 11, 2009 to solicit comments related to the design and compatibility with the surrounding neighborhood. The neighbors that attended were generally satisfied with the design and in support of the proposed use. Lastly, no public comments have been received to date during the public comment period for Negative Declaration No. 09-001.

PLANNING ISSUES

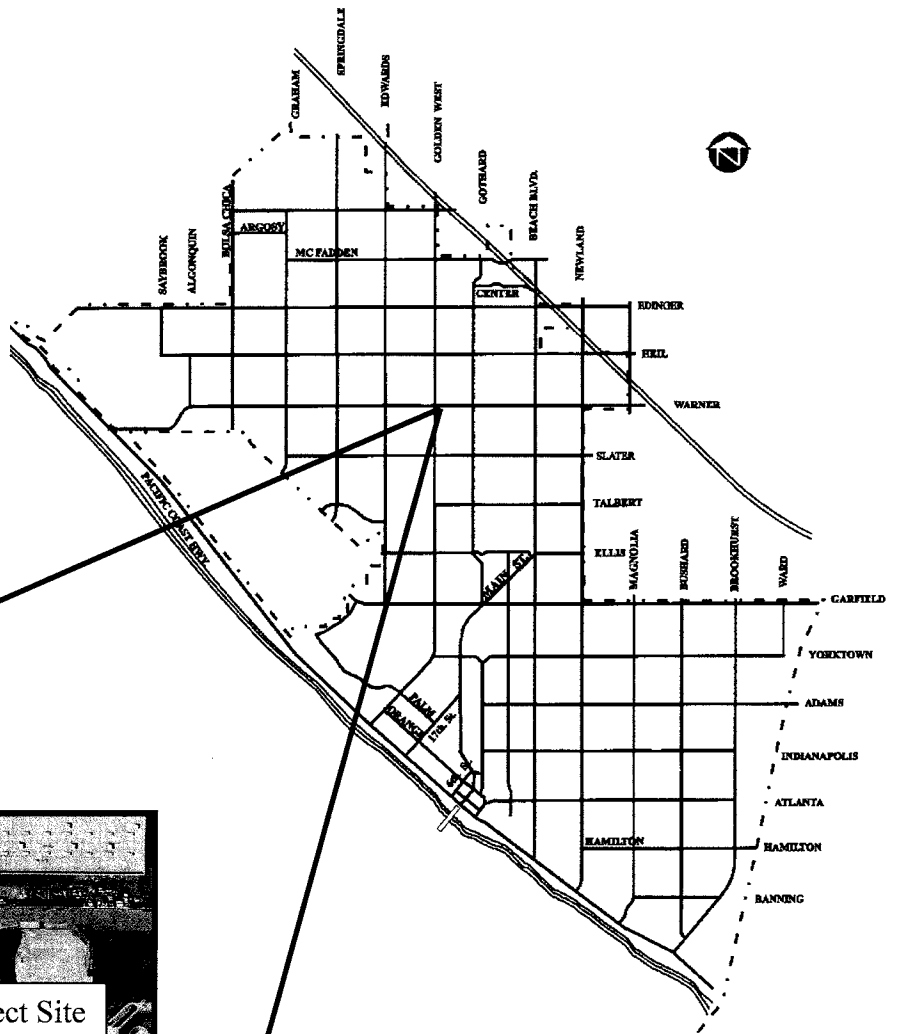
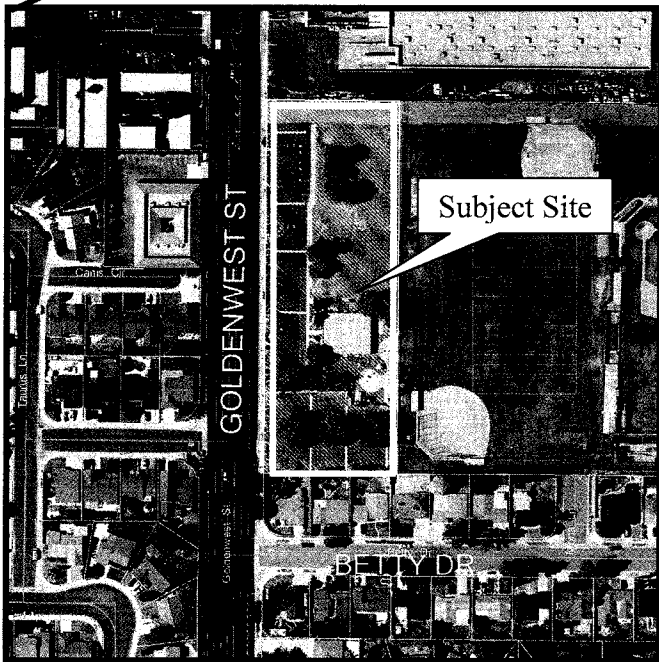
The primary issues for the Planning Commission to consider when analyzing this project are:

- The General Plan Amendment request to change the current land use designation from CO-F1 (Commercial Office-0.35 Max. FAR) to the proposed CO-F3 (Commercial Office-1.0 Max. FAR).
- Any potential environmental impacts
- Compatibility with surrounding land uses
- The proposed site layout and architectural design
- The overall conformance with the goals, objectives, and policies of the General Plan

ATTACHMENTS:

1. Vicinity Map
2. Current/Proposed General Plan Designations (with surrounding designations)
3. Project Narrative received September 25, 2009.
4. Project Plans Received and Dated November 4, 2009.
5. Code Requirements Letter dated June 22, 2009 (for informational purposes only)
6. Notice of Action letter for DR 09-06 dated November 13, 2009

SH:HF:EE:lw



VICINITY MAP

NEGATIVE DECLARATION NO. 09-001 / GENERAL PLAN AMENDMENT NO. 09-001 /
 CONDITIONAL USE PERMIT NO. 09-003 / DESIGN REVIEW NO. 09-008 (GOLDENWEST
 ASSISTED LIVING – 17200 GOLDENWEST STREET)

ATTACHMENT NO. 1

Existing General Plan Designation

Goldenwest Assisted Living (GPA 09-001)

CO-F1 (Commercial Office-0.35 Max. Floor Area Ratio)





Warner Ave.

Goldenwest St.






RL-7-rmp

General Plan Designations




Residential

-  Residential Low Density
-  Residential Medium Density
-  Residential Medium High Density
-  Residential High Density






Commercial

-  Commercial Regional
-  Commercial Visitor
-  Commercial General
-  Commercial Neighborhood
-  Commercial Office


Mixed Use

-  Mixed Use
-  Mixed Use Horizontal
-  Mixed Use Vertical




Open Space

-  Conservation
-  Commercial Recreation
-  Park
-  Shore
-  Water Recreation

Industrial

-  Industrial

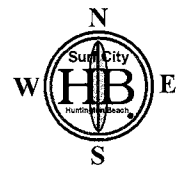
Public

-  Public
-  School, Hospital, Church (underlying designation)
-  Right of Ways & Bridges

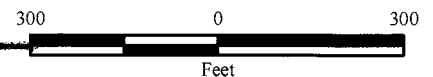
Information Services Department



HB GIS
December 2009



ATTACHMENT NO. 2.1



Proposed General Plan Designation

Goldenwest Assisted Living (GPA 09-001)

CO-F3 (Commercial Office-1.0 Max. Floor Area Ratio)





Warner Ave.

Goldenwest St.






RL-7-rmp

General Plan Designations




Residential

-  Residential Low Density
-  Residential Medium Density
-  Residential Medium High Density
-  Residential High Density






Commercial

-  Commercial Regional
-  Commercial Visitor
-  Commercial General
-  Commercial Neighborhood
-  Commercial Office


Mixed Use

-  Mixed Use
-  Mixed Use Horizontal
-  Mixed Use Vertical




Open Space

-  Conservation
-  Commercial Recreation
-  Park
-  Shore
-  Water Recreation

Industrial

-  Industrial

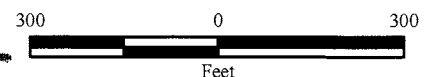
Public

-  Public
-  School, Hospital, Church (underlying designation)
-  Right of Ways & Bridges

Information Services Department



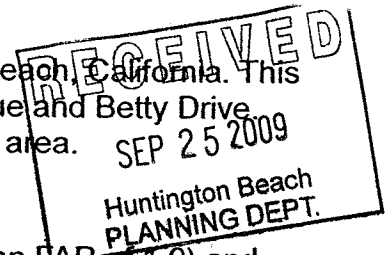
HB GIS
December 2009



ATTACHMENT NO. 2.2

The Property

The subject address is 17200 Goldenwest Street in Huntington Beach, California. This is located on the east side of Goldenwest between Warner Avenue and Betty Drive. There are 3.376 gross acres with 2.714 net acres of developable area.

***General Plan & Zoning***

The property is now designated CO-F1 (Commercial Office with an FAR of 1.0) and located in a Commercial Office District. Assisted Living Facilities such as the one proposed in this application are considered to be Residential Care Facilities, a permitted use in a Commercial Office District, which has a base permitted density of 1.0. This application thus proposes a use and FAR consistent with the underlying zoning. However, the existing General Plan area in which the subject property is located has an established FAR of just 0.35. Accordingly, this application proposes a General Plan Amendment to adjust the relevant FAR, which would make it consistent with what already is provided for in the zoning code. As a practical matter, the impact from the proposed use would generate less traffic with a 1.0 FAR than many of the presently permitted commercial uses would with a 0.35 FAR. Among the uses now permitted at this location, some with a Conditional Use Permit approved by the Zoning Administrator, are clubs, banks, medical, and other offices for "general business" purposes.

Land Use Policies

This project is consistent with the City's General Plan, addressing the following objectives and policies:

- Objective LU 13.1. *Provide for the development of new uses, such as human service, cultural, educational, religious, and other uses that support the needs of existing and future residents and businesses.*

- This project will support the needs of existing and future residents by providing care and assistance with activities of daily living.

- Objective LU 9.5. *Provide for the development of housing for senior citizens, the physically and mentally challenged, and very low, low, and moderate-income families.*

- As an assisted living facility, this project provides much-needed housing for senior citizens.

- Policy LU 9.5.2. *Require that special needs housing is designed to be compatible with adjacent residential structures and other areas designed for other categories of use provided that no adverse impacts will occur.*

- This project is a very compatible use for the area, serving as an appropriate transition between the commercial and residential zones.

The Project

The proposed project consists of four separated but related parts: a General Plan Amendment, a Conditional Use Permit, Design Review, & Environmental Assessment.

– Overview. The plan is to construct and operate, subject to city approvals and licensing by the State of California, a 116,670 square foot assisted senior living facility with 144 beds (for 144 residents) within 121 dwelling units. There would be an Alzheimer's/Memory Care component with residential living spaces, dining and kitchen areas, social activity rooms, housekeeping areas, and ancillary offices. The architecture evokes the Craftsman style. The building would taper from three stories near Home Depot down to one story near Betty Drive. The operation proposed would meet a growing social need with a very quiet use, improve the aesthetics of public views along a city street, and provide new sorely needed revenue for the city and school district.

– Review of Requested Legislative Actions. Requested legislative actions involve a General Plan amendment, following the required environmental assessment.

– Review of Requested Project Approvals. Requested project approvals involve the City processes for an Environmental Assessment, Conditional Use Permit (CUP) and Design Review. The application asks for approval of the requested CUP to develop the property with specific structures and other features consistent with the City's vision as reflected in its General Plan and Zoning standards. The application asks that the City conduct its standard review of building architecture, landscape architecture, site planning, and overall design.

– Description of the Proposed Building. There would be one building supported by surface parking. The building at its highest point near Home Depot would have a three story element and be 40 feet high. At its lowest point, near the Betty Drive neighbors, it would be tapered down to a lushly landscaped, single story element. As noted previously, the architectural design evokes a California Craftsman style.

– Reasons for Initiating this Application. The applicant is initiating the legislative actions as one aspect of the current General Plan for the property does not permit the proposed use. The applicant is initiating the project approvals as the expectation is that construction can proceed after legislative approvals are granted. This application serves the applicant's private interest by allowing the landowner to profitably develop a worthwhile project in a market that currently is less than robust.

This application serves the public interest in four significant ways:

- (1) It provides for a project more attractive and less impactful than most alternatives.
- (2) It serves as an appropriate buffer between the single family homes on Betty and the Home Depot on the opposite side. The design steps down in height from three stories to two, and then to one story as it approaches the neighbors along Betty Dr.
- (3) It responds to a critical and growing need in the community for certain services.
- (4) It provides net fiscal benefits for the city and the schools.

– Description of Surrounding Uses. To the North: is Commercial General, with Home Depot. To the South: is Residential Low, with single family homes on Betty Drive. To the East: is Public/Semi-Public, with Ocean View High School. To the West: a mix of Residential Low (single family homes), Residential Medium/High (Regency Palms Apartments), and Commercial Office (Goldenwest Professional Center).

– Impact of Project for Surrounding Neighbors. The impact of a senior citizen assisted living facility on surrounding neighbors will be negligible, with little traffic or noise. There will be a maximum of 36 employees who will come and go at peak times. The impact of this project is especially insignificant as compared with potentially far more substantial effects associated with presently permitted commercial uses.

– Description of Population Served by the Project. The facility would be designed to serve the needs of a particular segment of the aging population. Target markets would include seniors in the region and Huntington Beach residents who want to have their parents or other elderly loved ones nearby. Services would include assistance with daily routines and activities of frail elderly and Alzheimer's patients. The average age of men and women ranges from roughly 80 to 83 years, with women on average slightly older. Most of the residents, 75 percent or more, will probably be women. The average length of residency is somewhat more than two years. Daily activities include exercise, meals and socializing, and short trips into the community.

– Summary of Project Benefits. First, there is a significant demand in Huntington Beach and nearby surrounding areas for Assisted Living and Memory Care, so this project would meet that important and growing social need. Second, given the nature of the population to be served, the proposed project would be far less impactful on those living nearby in terms of traffic and general noise as compared with many or most of the presently allowed commercial uses. Third, the project would generate revenue for both the city and the school district while imposing few costs on either public body. Fourth, the project would take advantage of sustainable methods to meet landscape, water quality, and energy efficiency requirements. Finally, the project would enhance values in the immediate area by its being both attractive and virtually self-policing: many seniors in residence here will observe their surroundings throughout the day, thereby bolstering a sense of overall peace and security in the neighborhood.

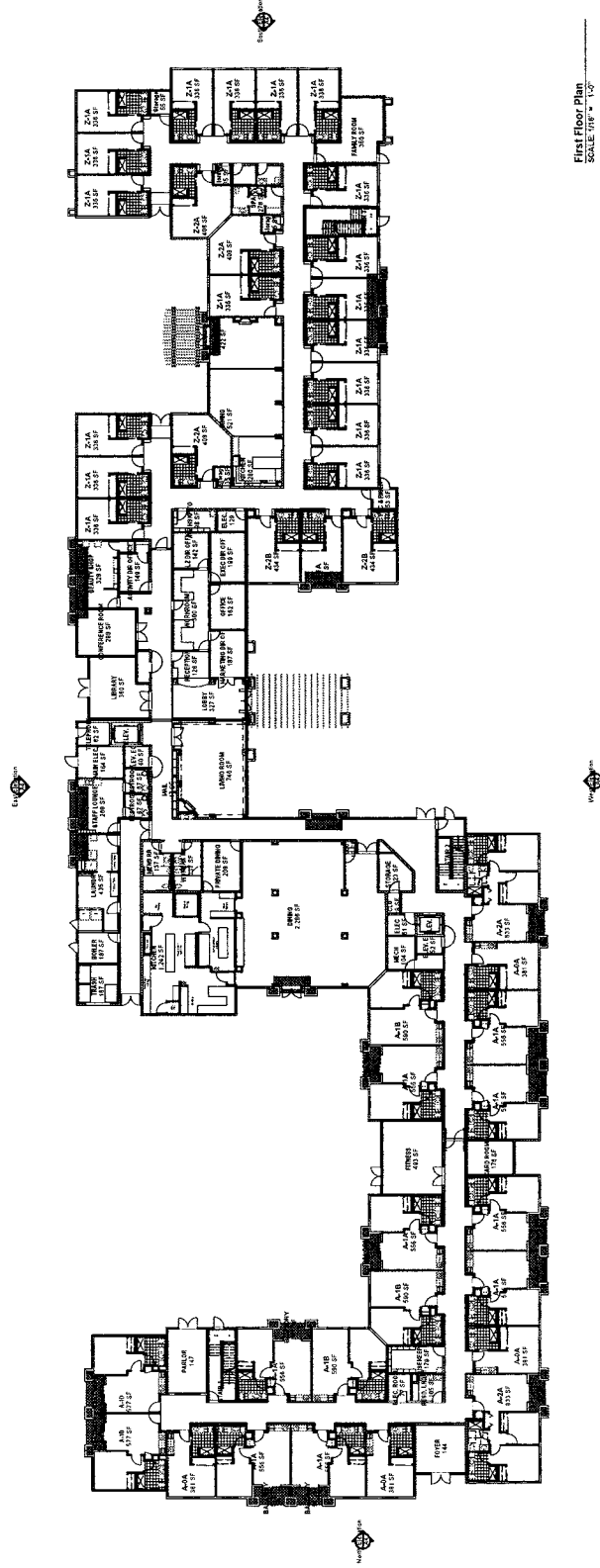
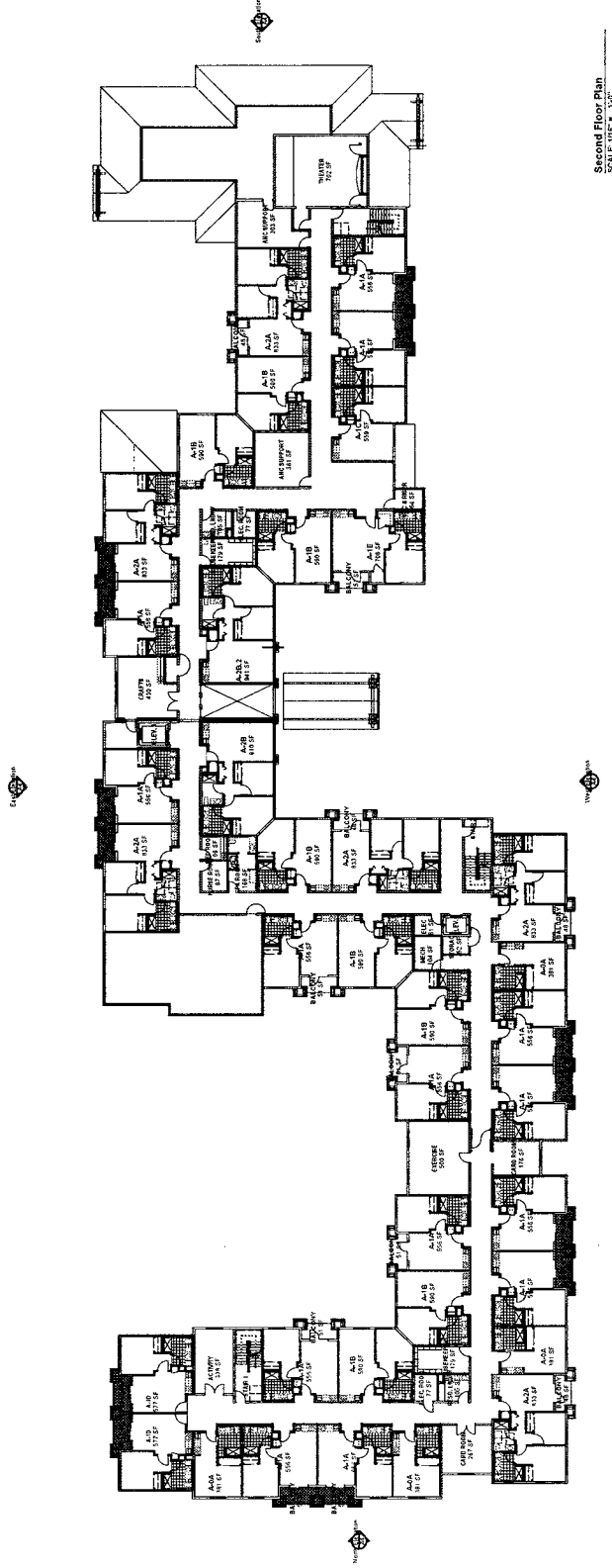
Local Description:
Real property in the City of Huntington Beach, County of Orange, State of California, described as follows:
Parcel 2 of Parcel Map No. 97-120 as shown on a map filed in Book 289, Pages 19 to 22, inclusive, of Parcel Maps, Records Orange County, California.

Site plan of the proposed 100-unit apartment building at 2055 S. Bascom Avenue, San Jose, CA. The plan shows the building footprint, parking areas, and surrounding context including the Public Storage Zone (PSZ) and the Goldenwest Professional Building. Key features include the 'All E Garden' area, a 'Delivery' zone, and a 'Courtyard'. The plan is bounded by the 'Property Line' and 'Setback Line'. Dimensions are provided for various setbacks and lot areas.

IRWIN
PANCAKE
ARCHITECTS

ARCHITECTURE
PLANNING
CONSULTING

345 SINGER AVE., SUITE 800
COSTA MESA, CA 92626
714-536-3724 FAX 714-536-1724
www.irwinpancake.com



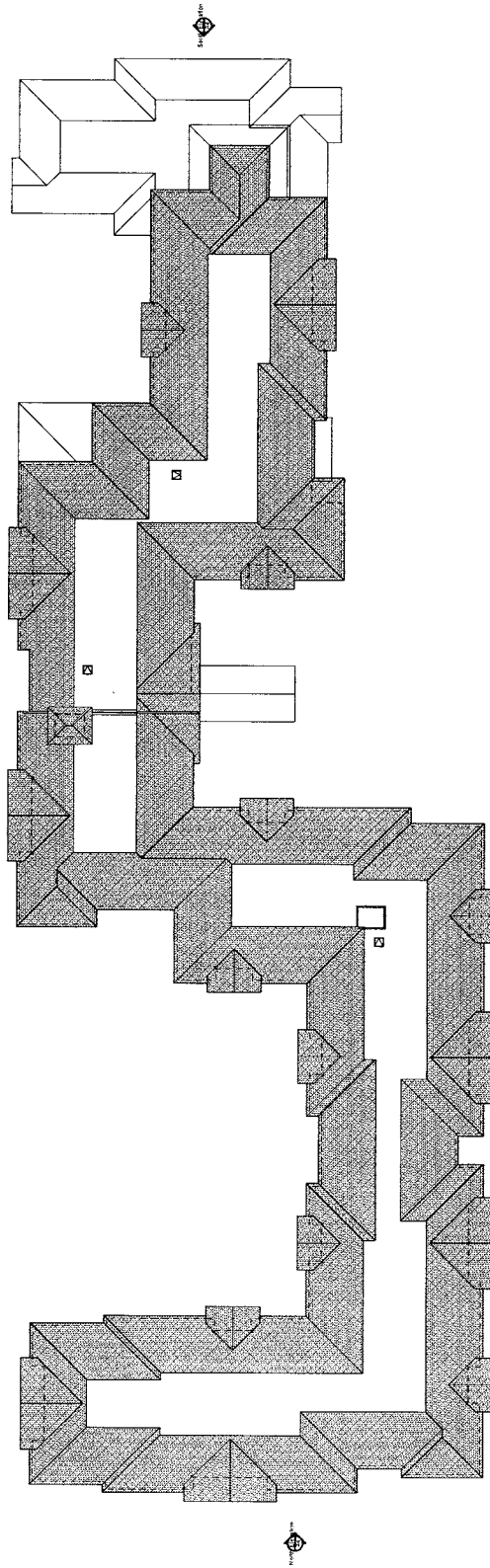
1st Floor and 2nd Floor Plans
A2
PROJECT NO. 080305
PLOT DATE 11/04/2009

Goldenwest Assisted Living
17200 Goldenwest Street
Huntington Beach, California 92647

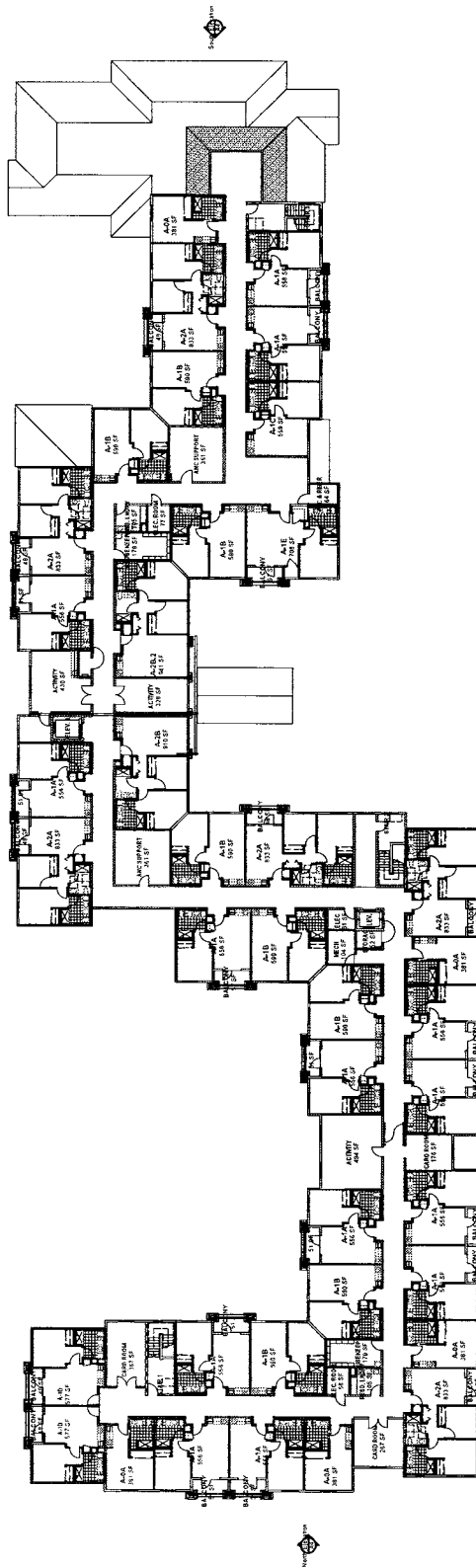
Burke Real Estate Group
285 E. Main St., Suite 100
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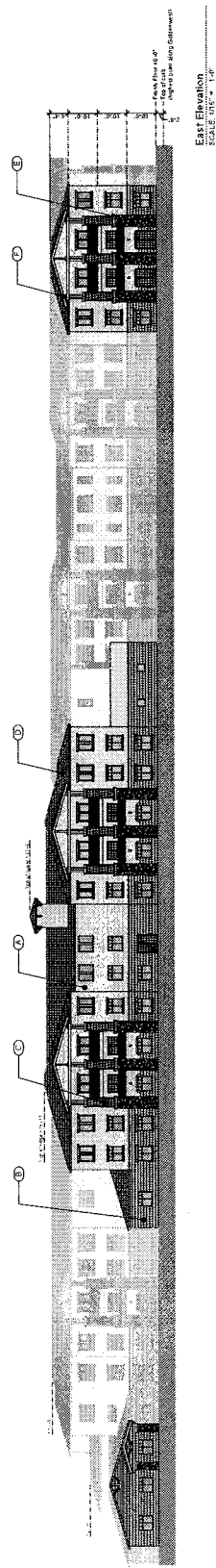
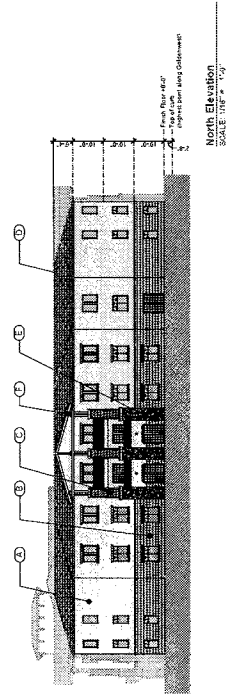
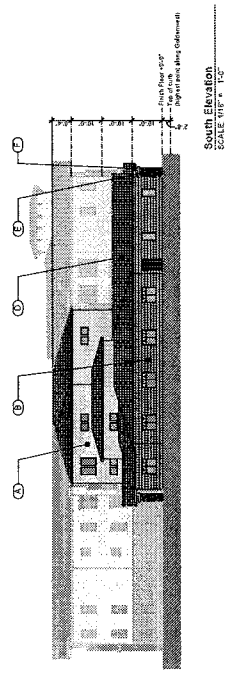
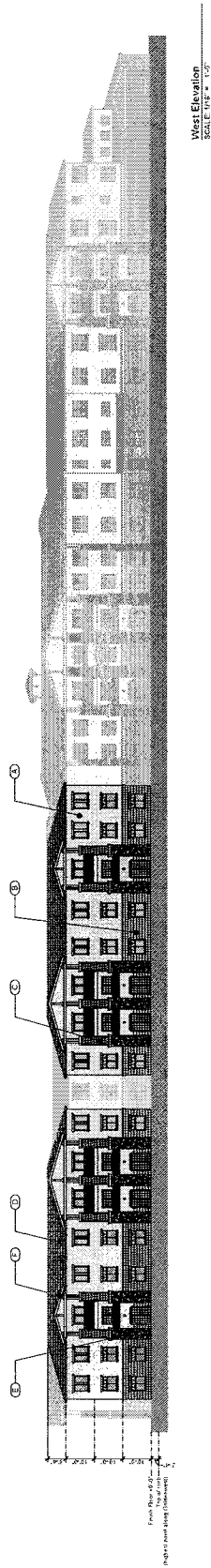
IRWIN ARCHITECTS
PANCHE ARCHITECTS
ARCHITECTS



Roof Plan
SCALE 1/8" = 1'-0"



Third Floor Plan
SCALE 1/8" = 1'-0"



- 1 CEMENT PLASTER
- 2 DUNE EDWARDS DECKING
- 3 DUNE EDWARDS DECKING
- 4 DUNE EDWARDS DECKING
- 5 DUNE EDWARDS DECKING
- 6 DUNE EDWARDS DECKING
- 7 DUNE EDWARDS DECKING
- 8 DUNE EDWARDS DECKING
- 9 DUNE EDWARDS DECKING
- 10 DUNE EDWARDS DECKING

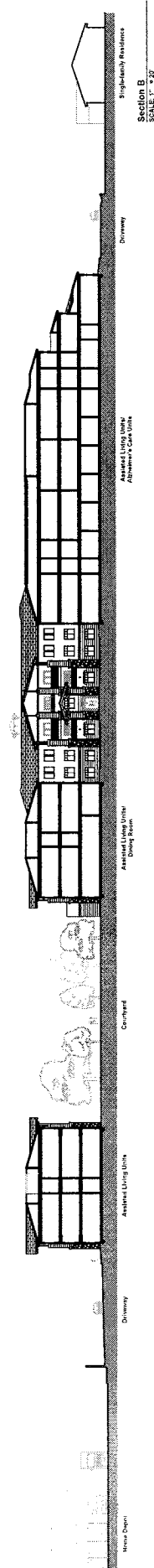
Conceptual Elevations
A4
PROJECT NO. 08030.00
PLOT DATE: 1/04/2009

Goldenwest Assisted Living
17200 Goldenwest Street
Huntington Beach, California 92647

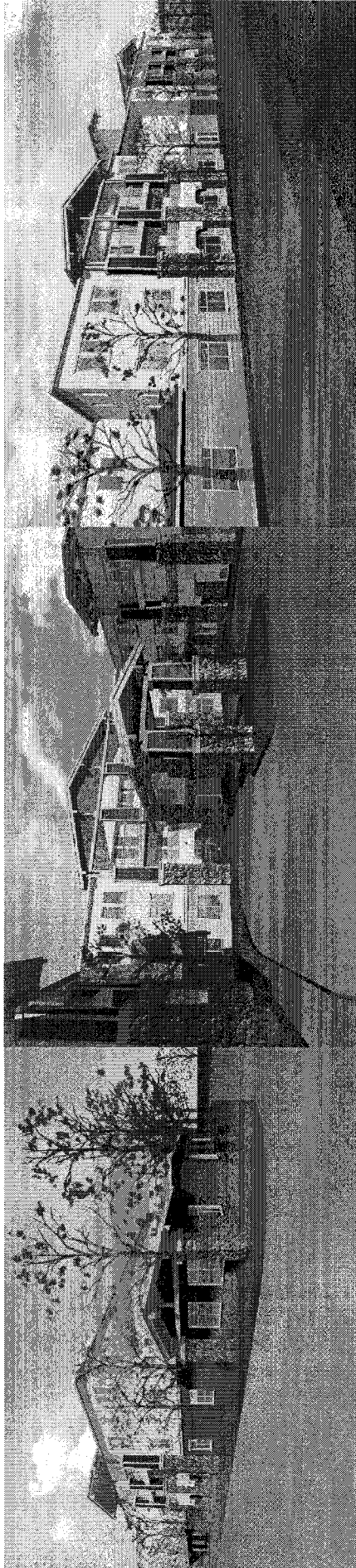
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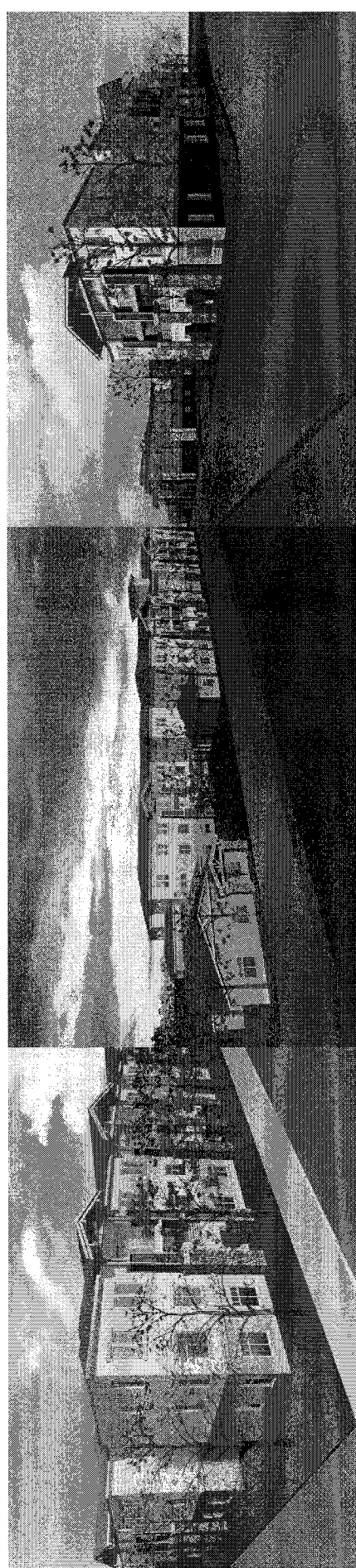
Sections
A5



View of Southwest Corner

View of Main Entry

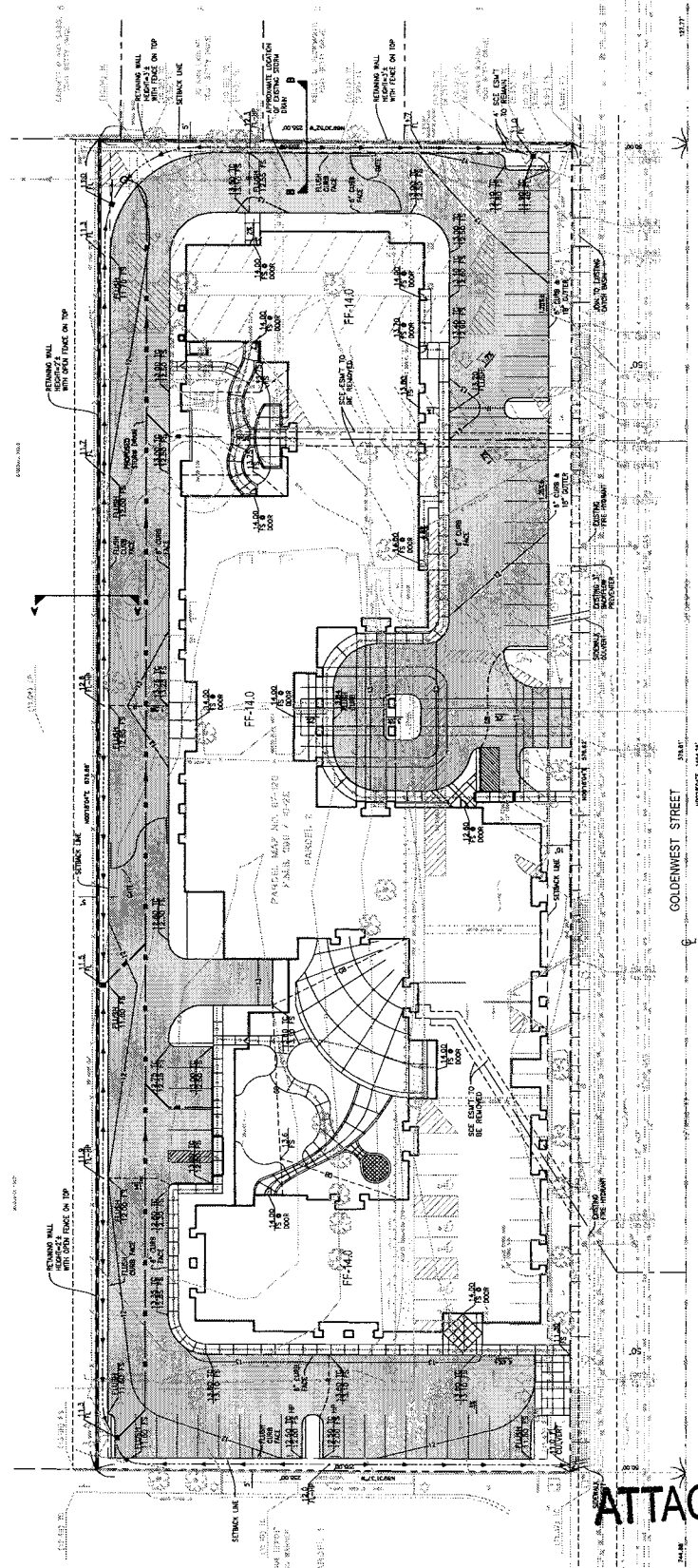
View from East



View of Northwest Corner

View of Alzheimer's Garden

View of Northeast Corner



ATTACHMENT NO. 4.7

CALVIN L. WOOLSEY REC-3103 DATE _____

PRELIMINARY GRADING PLAN
MAY 28, 2009 REVISED

DEVELOPER:
BURKE REAL ESTATE GROUP
260 E. BAKER STREET, SUITE 100
COSTA MESA, CA 92626
(714) 824-0000
(714) 824-6001 (FAX)

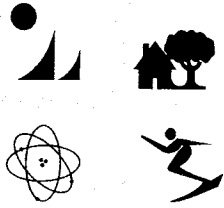
CONTACT: PAT PATTERSON

ENGINEER:

FUSCOE
CONSULTING

18795 Van Nuys, Suite 100
Van Nuys, California 91406
Tel: 909-472-1140 • Fax: 909-472-5515

SHEET: 1 OF 1



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

June 22, 2009

Douglas Pancake, AIA
Irwin Pancake Architects
245 Fischer Avenue, Suite B-2
Costa Mesa, CA 92626

SUBJECT: General Plan Amendment No. 09-001, Environmental Assessment No. 09-002, Conditional Use Permit No. 09-003, Design Review 09-008 (Goldenwest Assisted Living Facility) - PROJECT IMPLEMENTATION CODE REQUIREMENTS & CONDITIONS OF APPROVAL

Dear Applicant,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at ethan.edwards@surfcity-hb.org or 714-536-5561 and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards, AICP
Associate Planner

Enclosure(s)

xc:

Jason Kwak, Building and Safety Department – 714-536-5278
Jan Thomas, Police Department – 949-348-8186
Darin Maresh, Fire Department – 714-536-5564
Louis Gomez, Econ. Dev. Department – 714-536-5544
Bob Milani, Public Works – 714-374-1735
David Dominguez, Community Services – 714-536-5309
Herb Fauland, Planning Manager
Jason Kelley, Planning Department

Property Owner
Project File

ATTACHMENT NO. 5.1



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 17, 2009

PROJECT NAME: GOLDENWEST ASSISTED LIVING

ENTITLEMENTS: GENERAL PLAN AMENDMENT NO. 09-001, ENVIRONMENTAL ASSESSMENT NO. 09-002, CONDITIONAL USE PERMIT NO. 09-003, DESIGN REVIEW 09-006

PLNG APPLICATION NO: 2009-0064

DATE OF PLANS: MAY 26, 2009

PROJECT LOCATION: 17200 GOLDENWEST STREET, HUNTINGTON BEACH (APN: 111-010-88)

PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561/ ETHAN.EDWARDS@SURFCITY-HB.ORG

PLAN REVIEWER: BOB MILANI, SENIOR CIVIL ENGINEER *BM*

TELEPHONE/E-MAIL: (714) 374-1735/ BOB.MILANI@SURFCITY-HB.ORG

PROJECT DESCRIPTION: **GPA:** TO AMEND THE GENERAL PLAN LAND USE DESIGNATION CO-F1 (COMMERCIAL OFFICE) OF 0.35 MAX FAR TO 1.0 MAX FAR TO BE CONSISTENT WITH THE EXISTING ZONING DESIGNATION CO (COMMERCIAL OFFICE) OF 1.0 MAX FAR. **EA:** TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. **CUP:** TO PERMIT THE PROPOSED USE OF A CONVALESCENT FACILITY. **DRB:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT.

ATTACHED: SITE PLAN, NARRATIVE & ENVIRONMENTAL CHECKLIST

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A DEMOLITION PERMIT:**

1. Applicant shall provide a consulting arborist report on all the existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain (if any) shall be protected and how far construction/grading shall be kept from the trunk. (Resolution 4545)
 - a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A GRADING PERMIT:**

2. The following dedications to the City of Huntington Beach shall be shown on the Precise Grading Plan. (ZSO 230.084A)
 - a. A public storm drain easement shall be dedicated to the City of Huntington Beach per City Standard Plan 300 for the public storm drain main line that runs along the southern edge of the subject property. The width of this easement shall be a minimum width of 20 feet. No structures shall be located within the easement; this includes footings for the newly proposed building. (City Standard Plan)
3. A Legal Description and Plot Plan of the dedications to City to be prepared by a licensed surveyor or engineer and submitted to Public Works for review and approval. The dedication shall be recorded prior to issuance of a grading permit.
4. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. Curb, gutter and sidewalk along the Goldenwest Street frontage shall be removed and replaced per Public Works Standard Plan Nos. 202 and 207. (ZSO 230.84)
 - b. New driveway approaches on Goldenwest Street shall be ADA compliant driveways per Public Works Standard Plan No. 211. (ZSO 230.84)
 - c. The existing driveway approaches on Goldenwest Street shall be removed and replaced with curb, gutter, and sidewalk per Public Works Standard Plan Nos. 202 and 207. (ZSO 230.84)
 - d. A new sewer lateral shall be installed connecting to the main in Goldenwest Street. If the new sewer lateral is not constructed at the same location as the existing lateral, then the existing lateral shall be severed and capped at the main or chimney. (ZSO 230.84)
 - e. The existing water meter shall be replaced with a touch-read meter. The new domestic water meter shall be installed per Public Works Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC). (ZSO 230.84)
 - f. The existing domestic water service currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Water Inspector. If the property owner elects to utilize the existing water service, any non-conforming water service, meter, and backflow protection device shall be upgraded to conform to the current Public Works Standards.

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Alternatively, a new separate domestic water service, meter and backflow protection device may be installed per Public Works Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC). The new domestic water service shall be a minimum of 2-inches in size. (ZSO 230.84)

- g. A separate irrigation water service and meter shall be installed per Public Works Standards. The water service shall be a minimum of 1-inch in size. (ZSO 232)
 - h. A separate backflow protection device shall be installed per Public Works Standards for domestic, irrigation, and fire water services. (Resolution 5921 and Title 17)
 - i. Based on Fire Department's requirement that fire sprinklers are required for the proposed development, a separate dedicated fire service line shall be installed. (ZSO 230.84)
 - j. Based on Fire Department's requirement that 2 on-site private fire hydrants are required for the proposed development, a separate dedicated fire service line shall be installed. (ZSO 230.84)
5. A Traffic Impact Analysis for the proposed project shall be prepared and submitted to the Department of Public Works for review and approval. (GP I-CE)
 6. A signage and striping plan prepared by a licensed Civil or Traffic Engineer shall be submitted to the Public Works Department for review and approval. The plans shall be prepared according to the City of Huntington Beach Signing and Striping Plan Preparation Guidelines. (ZSO 230.84)
 7. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)
 - a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).
 - b. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
 - c. Standard landscape code requirements apply. (ZSO 232)
 8. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
 9. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)
 10. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees and the protection measures and locations of existing trees to remain. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. (Resolution-4545)
 11. Hydrology and hydraulic analysis shall be submitted for Public Works review and approval (10, 25, and 100-year storms and back to back storms shall be analyzed). In addition, this study shall include 24-hour peak back-to-back 100-year storms for onsite detention analysis. The drainage improvements shall be designed and constructed as required by the Department of Public Works to mitigate impact of increased runoff due to development, or

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- deficient, downstream systems. Design of all necessary drainage improvements shall provide mitigation for all rainfall event frequencies up to a 100-year frequency. (ZSO 230.84)
12. A sewer study shall be prepared and submitted to Public Works for review and approval. A fourteen (14)-day or longer flow test data shall be included in the study. The sanitary sewer system shall be designed and constructed to serve the development, including any offsite improvements necessary to accommodate any increased flow associated with the project. The location and number of monitoring test sites, not to exceed three, to be determined by the Public Works Department. (ZSO 230.84/MC 14.36.010)
 13. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one or more acres of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements shall be submitted to the Department of Public Works for review and acceptance. A copy of the current SWPPP shall be kept at the project site and another copy to be submitted to the City. (DAMP)
 14. A Project Water Quality Management Plan (WQMP) conforming to the City of Huntington Beach's Project WQMP Preparation Guidance Manual dated June 2006 and prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance and shall include the following:
 - a. Discusses regional or watershed programs (if applicable).
 - b. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
 - c. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan. (DAMP)
 - d. Incorporates Treatment Control BMPs as defined in the DAMP.
 - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
 - h. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs.
 - i. After incorporating plan check comments of Public Works, three final WQMPs (signed by the owner and the Registered Civil Engineer of record) shall be submitted to Public Works for acceptance. After acceptance, two copies of the final report shall be returned to applicant for the production of a single complete electronic copy of the accepted version of the WQMP on CD media that includes:
 - i. The 11" by 17" Site Plan in .TIFF format (400 by 400 dpi minimum).

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- ii. The remainder of the complete WQMP in .PDF format including the signed and stamped title sheet, owner's certification sheet, Inspection/Maintenance Responsibility sheet, appendices, attachments and all educational material.
- j. The applicant shall return one CD media to Public Works for the project record file.
- 15. Indicate the type and location of Water Quality Treatment Control Best Management Practices (BMPs) on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach; Project Water Quality Management Plan Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
- 16. A suitable location, as approved by the City, shall be depicted on the grading plan for the necessary trash enclosure(s). The area shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, and screened or walled to prevent off-site transport of trash. The trash enclosure area shall be covered or roofed with a solid, impervious material. Connection of trash area drains into the storm drain system is prohibited. If feasible, the trash enclosure area shall be connected into the sanitary sewer. (DAMP)
- 17. A detailed soils and geological/seismic analysis shall be prepared by a registered engineer. This analysis shall include on-site soil sampling and laboratory testing of materials to provide detailed recommendations for grading, over excavation, engineered fill, dewatering, settlement, protection of adjacent structures, chemical and fill properties, liquefaction, retaining walls, streets, and utilities. (MC 17.05.150)
- 18. If soil remediation is required, a remediation plan shall be submitted to the Planning, Public Works and Fire Departments for review and approval in accordance with City Specifications No. 431-92. The plan shall include methods to minimize remediation-related impacts on the surrounding properties; details on how all drainage associated with the remediation efforts shall be retained on site and no wastes or pollutants shall escape the site; and shall also identify wind barriers around remediation equipment. (MC 17.05.150/FD Spec. 431-92)
- 19. The applicant's grading/erosion control plan shall abide by the provisions of AQMD's Rule 403 as related to fugitive dust control. (AQMD Rule 403)
- 20. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Planning and Public Works Departments. In addition, clearly visible signs shall be posted on the perimeter of the site every 250 feet indicating who shall be contacted for information regarding this development and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the requirements herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.
- 21. The applicant shall notify all property owners and tenants within 300 feet of the perimeter of the property of a tentative grading schedule at least 30 days prior to such grading.

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THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

22. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
23. The developer shall coordinate the development of a truck haul route with the Department of Public Works if the import or export of material in excess of 5000 cubic yards is required. This plan shall include the approximate number of truck trips and the proposed truck haul routes. It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to adjacent residents. These plans must be submitted for approval to the Department of Public Works. (MC 17.05.210)
24. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (California Stormwater BMP Handbook, Construction Wind Erosion WE-1)
25. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
26. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
27. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)
28. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
29. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
30. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
31. Wind barriers shall be installed along the perimeter of the site. (DAMP)
32. Remediation operations, if required, shall be performed in stages concentrating in single areas at a time to minimize the impact of fugitive dust and noise on the surrounding areas.
33. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

34. A Precise Grading Permit shall be issued. (MC 17.05)
35. Traffic impact fees for this development shall be paid at the rate applicable at the time of Building Permit issuance. The current rate of \$163 per net new added daily trip is adjusted annually. This project is forecast to generate 383 new daily trips for a total traffic impact fee of \$ 64,429.00. The rate is subject to an annual adjustment on December 1st. (MC 17.65)

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36. A drainage fee for the subject development shall be paid at the rate applicable at the time of Building Permit issuance. The current rate of \$13,270 per gross acre is subject to periodic adjustments. This project consists of 3.38 gross acres (including its tributary area portions along the half street frontages) for a total required drainage fee of \$44,852.60. City records indicate the previous use on this property never paid this required fee. Per provisions of the City Municipal Code, this one time fee shall be paid for all subdivisions or development of land. (MC 14.48)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF AN ENCROACHMENT PERMIT:**

37. Traffic Control Plans, prepared by a Licensed Civil or Traffic Engineer, shall be prepared in accordance with the latest edition of the City of Huntington Beach Construction Traffic Control Plan Preparation Guidelines and submitted for review and approval by the Public Works Department. (MC 12.13)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
FINAL INSPECTION OR OCCUPANCY:**

38. Complete all improvements as shown on the approved grading, and landscape and improvement plans. (MC 17.05)
39. The current tree code requirements shall apply to this site. (ZSO 232)
 - a. Existing trees to remain on site shall not be disfigured or mutilated, (ZSO 232.04E) and,
 - b. General tree requirements, regarding quantities and sizes. (ZSO 232.08B and C)
40. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. (ZSO 232.04D)
41. Applicant shall provide City with CD media TIFF images (in City format) and CD (AutoCAD only) copy of complete City Approved landscape construction drawings as stamped "Permanent File Copy" prior to starting landscape work. Copies shall be given to the City Landscape Architect for permanent City record.
42. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
 - c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.
43. All new utilities shall be undergrounded. (MC 17.64)

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44. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf . (ZSO 240.06/ZSO 250.16)
45. The Water Ordinance #14.52, the "Water Efficient Landscape Requirements" apply for projects with 2500 square feet of landscaping and larger. (MC 14.52)

ATTACHMENT NO. 5.9



CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 16, 2009

PLANNING APPLICATION: 09-064

PROJECT LOCATION: 17200 GOLDENWEST STREET

REQUESTS: TO PERMIT THE PROPOSED USE OF A CONVALESCENT FACILITY

PROJECT PLANNER: ETHAN EDWARDS

PLAN REVIEWER: JAN THOMAS

TELEPHONE/E-MAIL: (949) 348-8186 JCKTHOMAS@COX.NET

The following is a list of code requirements deemed applicable to the proposed project based on plans received. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Zoning Administrator in conjunction with the requested entitlement(s), if any, will also be provided should the project be approved. If you have any questions regarding these requirements, please contact the Plan Reviewer.

For best surveillance opportunities, windows should line the entrance to the building.

The administration office should have large windows facing onto the entrance. It appears that there are some. However, make them as large as possible.

Also, the "resident activity" room and the "dining" room should have windows looking onto the entrance. This adds to the real and perceived visibility of someone entering the property. This is a deterrent to unwanted activity and also gives residents inside the opportunity to identify potential danger before it enters the building.

Surveillance cameras should be installed at the exterior entrance as well as the interior entrance. Optimally, surveillance cameras should be installed inside and throughout the property and be recorded 24 hours, 7 days a week. Police request that these recordings be retained for 30 days in the event that a crime is not reported right away.

Surveillance cameras should also be placed in areas to detect employee theft and/or other types of crime by employees.

Ensure that tree canopies will not interfere with the effectiveness of the parking lot lighting. Take care in placing trees away from light standards.



HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MAY 29, 2008

PROJECT NAME: HUNTINGTON BEACH ASSISTED LIVING FACILITY

ENTITLEMENTS: PLANNING APPLICATION NO. 09-064

PROJECT LOCATION: 17200 GOLDEWEST STREET, HUNTINGTON BEACH, CA

PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561/ Ethan.Edwards@surfcity-hb.org

PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST

TELEPHONE/E-MAIL: (714) 536-5531/ dmares@surfcity-hb.org

PROJECT DESCRIPTION: **GPA:** TO AMEND THE GENERAL PLAN LAND USE DESIGNATION CO-F1 (COMMERCIAL OFFICE) OF 0.35 MAX FAR TO 1.0 MAX FAR TO BE CONSISTENT WITH THE EXISTING ZONING DESIGNATION CO (COMMERCIAL OFFICE) OF 1.0 MAX FAR. **EA:** TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. **CUP:** TO PERMIT THE PROPOSED USE OF A CONVALESCENT FACILITY. **DRB:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated May 27, 2008. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Environmental

"Phase 1 Environmental Study" is required. Submit report to the Fire Department for review per City Specification # 431-92 Soil Clean-Up Standards. Based on site characteristics,

identified former uses, suspected soil contamination, proximity to a producing/abandoned oil well, or Phase I,II, or III Site Audit, soil testing may be required. If contamination is identified, provide a Fire Department approved Remediation Action Plan (RAP) based on requirements found in Huntington Beach City Specification # 431-92, Soil Cleanup Standard. All soil must conform to City Specification # 431-92 Soil Clean-Up Standards. **(FD)**

Fire Apparatus Access

No Parking shall be allowed in the designated 24 foot wide fire apparatus access road or supplemental fire access per City Specification # 415. For Fire Department approval, reference and demonstrate compliance with City Specification # 415 *Minimum Standards for Fire Apparatus Access* on the plans. **(FD)**

Fire Lanes, as determined by the Fire Department, shall be posted, marked, and maintained per City Specification #415, *Fire Lanes Signage and Markings on Private, Residential, Commercial and Industrial Properties*. The site plan shall clearly identify all red fire lane curbs, both in location and length of run. The location of fire lane signs shall be depicted. No parking shall be allowed in the designated 24 foot wide fire apparatus access road or supplemental fire access per City Specification # 415. For Fire Department approval, reference and demonstrate compliance with City Specification # 401 *Minimum Standards for Fire Apparatus Access* on the plans. **(FD)**

Fire Hydrants and Water Systems

Private Fire Hydrants are required. 2 hydrants are required. Hydrants must be portrayed on the site plan. Hydrants shall be installed and in service **before** combustible construction begins. Installation of hydrants and service mains shall meet NFPA 13 and 24, 2002 Edition, Huntington Beach Fire Code Appendix B and C, and City Specification # 407 Fire Hydrant Installation Standards requirements. Maximum allowed velocity of fire flow in supply piping is 12 fps. Plans shall be submitted to Public Works and approved by the Public Works and Fire Departments. For Fire Department approval, portray the fire hydrants and reference compliance with NFPA 13 and 24, 2002 Edition, Huntington Beach Fire Code Appendix B and C, and City Specification #407 Fire Hydrant Installation Standards in the plan notes. **(FD)**

Fire Suppression Systems

Fire Alarms

Fire Alarm System is required. For Fire Department approval, shop drawings shall be submitted to the Fire Department as separate plans for permits and approval. For Fire Department approval, reference and demonstrate compliance with *IBC 305.9* on the plans. A C-

10 electrical contractor, certified in fire alarm systems, must certify the system is operational annually. (FD)

Fire Sprinklers

NOTE: Significant changes to the Huntington Beach Fire Code have occurred as of January 1, 2008 as a result of the adoption of the International Fire and Building Codes by the State of California. An option may be available to the applicant to demise a portion of the structure with a rated fire barrier. Fire sprinklers will be required for fire areas 5000 square feet or greater or combined floor areas 10,000 square feet or greater per adopted Huntington Beach Fire Department amendments. (FD)

Automatic Fire Sprinklers are required. NFPA13 Automatic fire sprinkler systems are required per Huntington Beach Fire Code for new buildings with "fire areas" 5000 square feet or more or for buildings 10,000 square feet or more. An addition of square footage to an existing building also triggers this requirement.

Separate plans (three sets) shall be submitted to the Fire Department for permits and approval. The system shall provide water flow, tamper and trouble alarms, manual pull stations, interior and exterior horns and strobes, and 24-hour central station monitoring.

Automatic fire sprinkler systems must be maintained operational at all times, with maintenance inspections performed quarterly and the system serviced every five years by a state licensed C-16 Fire Protection Contractor.

For Fire Department approval, reference that a fire sprinkler system will be installed in compliance with the Huntington Beach Fire Code, NFPA 13, and City Specification # 420 - *Automatic Fire Sprinkler Systems* in the plan notes.

NOTE: When buildings under construction are more than one (1) story in height and required to have automatic fire sprinklers, the fire sprinkler system shall be installed and operational to protect all floors lower than the floor currently under construction. Fire sprinkler systems for the current floor under construction shall be installed, in-service, inspected and approved prior to beginning construction on the next floor above. (FD)

Fire Department Connections (FDC) to the automatic fire sprinkler systems shall be located to the front of the building, at least 25 feet from and no farther than 150 feet of a properly rated fire hydrant. (FD)

Class 1 Standpipes (2 ½" NFH connections) are required at each stairway. The standpipe system in stairwells cannot protrude into, impede, or compromise the H.B.B.C. "Exit Width" requirements. For Fire Department approval, reference and portray Class 1 standpipes at each stairway in the plan notes. (FD)

Fire Protection Systems

Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in *City Specification #424*. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. **(FD)**

Commercial Food Preparation Fire Protection System required for commercial cooking. Plans (three sets) shall be submitted to the Fire Department as separate plans for permits and approval. Reference compliance with *City Specification # 412 Protection Of Commercial Cooking Operations* in the plan notes. **(FD)**

Fire Personnel Access

Main Secured Building Entries shall utilize a KNOX® Fire Department Access Key Box, installed and in compliance with *City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings*. Please contact the Huntington Beach Fire Department Administrative Office at (714) 536-5411 for information. Reference compliance with *City Specification #403 - KNOX® Fire Department Access* in the building plan notes. **(FD)**

Fire Sprinkler System Controls access shall be provided, utilizing a KNOX® Fire Department Access Key Box, installed and in compliance with *City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings*. The approximate location of the system controls shall be noted on the plans. Reference compliance in the plan notes. **(FD)**

Elevators shall be sized to accommodate an ambulance gurney. Minimum interior dimensions are 7 feet (84") wide by 4 feet 3 inches (51") deep. Minimum door opening dimensions are 3 feet 6 inches (42") wide right or left side opening. Center opening doors require a 4 feet 6 inches (54") width. For Fire Department approval, reference and demonstrate compliance on the building plans. HBBC 3002.4 **(FD)**

Addressing and Street Names

Structure or Building Address Assignments. The Planning Department shall review and make address assignments. The individual dwelling units shall be identified with numbers per *City Specification # 409 Street Naming and Address Assignment Process*. For Fire Department approval, reference compliance with *City Specification #409 Street Naming and Address Assignment Process* in the plan notes. **(FD)**

GIS Mapping Information

- a. **GIS Mapping Information** shall be provided to the Fire Department in compliance with GIS Department CAD Submittal Guideline requirements. Minimum submittals shall include the following:

- Site plot plan showing the building footprint.
- Specify the type of use for the building
- Location of electrical, gas, water, sprinkler system shut-offs.
- Fire Sprinkler Connections (FDC) if any.
- Knox Access locations for doors, gates, and vehicle access.
- Street name and address.

Final site plot plan shall be submitted in the following digital format and shall include the following:

- Submittal media shall be via CD rom to the Fire Department.
- Shall be in accordance with County of Orange Ordinance 3809.
- File format shall be in .shp, AutoCAD, AUTOCAD MAP (latest possible release) drawing file - .DWG (preferred) or Drawing Interchange File - .DXF.
- Data should be in NAD83 State Plane, Zone 6, Feet Lambert Conformal Conic Projection.
- Separate drawing file for each individual sheet.
In compliance with Huntington Beach Standard Sheets, drawing names, pen colors, and layering convention. and conform to *City of Huntington Beach Specification # 409 – Street Naming and Addressing*.

For specific GIS technical requirements, contact the Huntington Beach GIS Department at (714) 536-5574.

For Fire Department approval, reference compliance with *GIS Mapping Information* in the building plan notes. **(FD)**

Building Construction

Exit Signs And Exit Path Markings will be provided in compliance with the Huntington Beach Fire Code and Title 24 of the California Administrative Code. Reference compliance in the plan notes. **(FD)**

Posting Of Room Occupancy is required. Any room having an occupant load of 50 or more where fixed seats are not installed, and which is used for assembly purposes, shall have the capacity of the room posted in a conspicuous place near the main exit per HBFC sec. 1004.3 **(FD)**

Egress Illumination/Emergency Exit Lighting with emergency back-up power is required. Provide means of egress illumination per HBFC 604.2.4 and UBC 1003.2.9. **(FD)**

Exit Ways and Aisles Plan is required for this project. HBFC section 408.2.1. Plans shall be submitted indicating the seating arrangement, location and width of exit ways and aisles for approval and an approved copy of the plan shall be kept on display on the premises. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. **(FD)**
- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

OTHER:

- a. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. **(FD)**

Fire Department City Specifications may be obtained at:

Huntington Beach Fire Department Administrative Office

City Hall 2000 Main Street, 5th floor

Huntington Beach, CA 92648

or through the City's website at **www.surfcity-hb.org**

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

PLANNING DEPARTMENT DEVELOPMENT REVIEW REQUEST

TO: Steve Bogart, Public Works
Eric Haghani, Building
Chief Ken Small, Police

Darrin Maresh, Fire
Kellee Fritzall, Economic Development
David Dominguez, Community Services

FROM: Ethan Edwards Ext: 5561

DATE: MAY 27, 2009

☒ PC

☐ ZA

☒ DRB

☐ STAFF

PETITION(S): Planning Application No. 09-064: General Plan Amendment No. 09-001, Environmental Assessment No. 09-002, Conditional Use Permit No. 09-003, Design Review 09-006

REQUEST(S): **GPA:** To amend the General Plan land use designation CO-F1 (Commercial Office) of 0.35 max FAR to 1.0 max FAR to be consistent with the existing zoning designation CO (Commercial Office) of 1.0 max FAR. **EA:** To review the proposed amendments and project pursuant to the California Environmental Quality Act to determine the necessary environmental documentation. **CUP:** To permit the proposed use of a Convalescent Facility. **DRB:** To review the design, colors, and materials of the proposed project.

LOCATION: 17200 Goldenwest Street, Huntington Beach (APN: 111-010-88)

ZONE: Commercial Office (CO)

GENERAL PLAN: Commercial Office (CO-F1)

EXISTING USE: Vacant (formerly Patti's Preschool)

Please submit your concerns and recommended changes or conditions in writing on or before **June 17, 2009**.

COMMENTS: (Use attachments or back side of sheet if necessary)

The Economic Development Department has reviewed the proposed project and has the following comments/concerns:

The project is located outside of the Huntington Beach Redevelopment Project Areas, thus is not subject to the redevelopment regulations. Economic Development believes that proposed development may not be the highest and best use for the site, nevertheless it does not object to the proposed project.

RESPONSE BY: Luis Gomez

Extension 5544

Attachments: 1. Plans 2. Narrative

ATTACHMENT NO. 5.17

PLANNING DEPARTMENT DEVELOPMENT REVIEW REQUEST

TO: Steve Bogart, Public Works
Eric Haghani, Building
Chief Ken Small, Police

Darrin Maresh, Fire
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David Dominguez, Community Services

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Please submit your concerns and recommended changes or conditions in writing on or before **June 17, 2009**.

COMMENTS: (Use attachments or back side of sheet if necessary)

COMMUNITY SERVICES WOULD LIKE TO NOTE THAT THE PROPOSED PROJECT PROPERTY WAS FORMERLY OWNED BY THE HUNTINGTON HIGH SCHOOL DISTRICT. PRIOR TO SALE OF THE PROPERTY THE CITY WAS NOT NOTIFIED OF THE OPTION TO PURCHASE THE PROPERTY UNDER THE MAYOR ACT.

RESPONSE BY: DAVID DOMINGUEZ Extension 5309

Attachments: 1. Plans 2. Narrative



**CITY OF HUNTINGTON BEACH
DEPARTMENT OF BUILDING & SAFETY
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: JUNE 15, 2009

PROJECT NAME: GOLDENWEST ASSISTED LIVING

PLANNING APPLICATION NO. PLANNING APPLICATION NO. 2009-064

ENTITLEMENTS: GENERAL PLAN AMENDMENT NO. 09-001, ENVIRONMENTAL ASSESSMENT NO. 09-002, CONDITIONAL USE PERMIT NO. 09-003, DESIGN REVIEW 09-006

DATE OF PLANS: MAY 26, 2009

PROJECT LOCATION: 17200 GOLDENWEST STREET, HUNTINGTON BEACH (APN: 111-010-88)

PLAN REVIEWER: JASON KWAK, PLAN CHECK ENGINEER

TELEPHONE/E-MAIL: (714) 536-5278 / jkwak@surfcity-hb.org

PROJECT DESCRIPTION: **GPA:** TO AMEND THE GENERAL PLAN LAND USE DESIGNATION CO-F1 (COMMERCIAL OFFICE) OF 0.35 MAX FAR TO 1.0 MAX FAR TO BE CONSISTENT WITH THE EXISTING ZONING DESIGNATION CO (COMMERCIAL OFFICE) OF 1.0 MAX FAR. **EA:** TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. **CUP:** TO PERMIT THE PROPOSED USE OF A CONVALESCENT FACILITY. **DRB:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received as stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the current state building codes adopted by the City at the time of permit application submittal. Currently they are 2007 California Building Code (CBC), 2007 California Mechanical

Code, 2007 California Plumbing Code, 2007 California Electrical Code, 2007 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.

2. Project shall comply with disabled accessible requirements of the CBC.
3. If applicable, project shall comply with CBC Section 425, *Special Provisions For Licensed 24-Hour Care Facilities in a Group I-1, R3.1, or R4 Occupancy*.



HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MAY 29, 2008

PROJECT NAME: HUNTINGTON BEACH ASSISTED LIVING FACILITY

ENTITLEMENTS: PLANNING APPLICATION NO. 09-064

PROJECT LOCATION: 17200 GOLDEWEST STREET, HUNTINGTON BEACH, CA

PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561/ Ethan.Edwards@surfcity-hb.org

PROJECT DESCRIPTION: **GPA:** TO AMEND THE GENERAL PLAN LAND USE DESIGNATION CO-F1 (COMMERCIAL OFFICE) OF 0.35 MAX FAR TO 1.0 MAX FAR TO BE CONSISTENT WITH THE EXISTING ZONING DESIGNATION CO (COMMERCIAL OFFICE) OF 1.0 MAX FAR. **EA:** TO REVIEW THE PROPOSED AMENDMENTS AND PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO DETERMINE THE NECESSARY ENVIRONMENTAL DOCUMENTATION. **CUP:** TO PERMIT THE PROPOSED USE OF A CONVALESCENT FACILITY. **DRB:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS OF THE PROPOSED PROJECT.

The following is a list of code requirements and suggested conditions of approval deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of final conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 09-003:

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design with the following modifications:
 - a. Parking lot striping shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code.
 - b. Depict all utility apparatus, such as but not limited to, back flow devices and Edison transformers on the site plan. Utility meters shall be screened from view from public right-of-ways. Electric transformers in a required front or street side yard shall be enclosed in subsurface vaults.

Backflow prevention devices shall be prohibited in the front yard setback and shall be screened from view.

- c. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s).
- d. Depict the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items on the site plan and elevations. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks.
- e. All parking area lighting shall be energy efficient and designed so as not to produce glare on adjacent residential properties. Security lighting shall be provided in areas accessible to the public during nighttime hours, and such lighting shall be on a time-clock or photo-sensor system.
(HBZSO 231.18(C))
- f. Project data information shall include the flood zone, base flood elevation and lowest building floor elevation(s) per NAVD88 datum.
- g. Play equipment shall not exceed six feet in height, except as approved by the Planning Commission at a noticed public hearing.
- h. Bicycle parking facilities shall be provided in accordance with the provisions of HBZSO Section 231.20 – *Bicycle Parking*.

2. Prior to issuance of grading permits, the following shall be completed:

- a. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning Department.
- b. Blockwall/fencing plans (including a site plan, section drawings and elevations, depicting the height and material of all retaining walls, freestanding walls and fences) consistent with the grading plan, shall be submitted to and approved by the Planning Department. Double walls shall be prohibited. Prior to construction of any new property line walls or fences, a plan, approved by the owners of adjacent properties, and identifying the removal of any existing walls, shall be submitted to the Planning Department for review and approval. The plans shall identify proposed wall and fence materials, seep holes and drainage.

3. Prior to submittal for building permits, the following shall be completed:

- a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Department.
- b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Building & Safety, Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical,

mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

- c. Residential type structures on the subject property, whether attached or detached, shall be constructed in compliance with the State acoustical standards set forth for units that lie within the 60 CNEL contours of the property. Evidence of compliance shall consist of submittal of an acoustical analysis report and plans, prepared under the supervision of a person experienced in the field of acoustical engineering, with the application for building permit(s).
4. Prior to issuance of building permits, the following shall be completed:
 - a. An "Acceptance of Conditions" form shall be properly executed by the applicant and an authorized representative of the owner of the property, recorded with the County Recorder's Office, and returned to the Planning Department for inclusion in the entitlement file. Conditions of approval shall remain in effect in the recorded form in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.
 - b. All new commercial and industrial development and all new residential development not covered by Chapter 254 of the Huntington Beach Zoning and Subdivision Ordinance, except for mobile home parks, shall pay a park fee, pursuant to the provisions of HBZSO Section 230.20 – *Payment of Park Fee*. The fees shall be paid and calculated according to a schedule adopted by City Council resolution (*City of Huntington Beach Planning Department Fee Schedule*).
 5. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/ grading activity.
 - g. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
 6. The structure cannot be occupied until the following has been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 - d. A Certificate of Occupancy must be approved by the Planning Department and issued by the Building and Safety Department.

7. The use shall comply with the following:
 - a. There shall be a maximum of 144-occupants/beds permitted in the assisted living/convalescent facility.
8. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.
9. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
10. Conditional Use Permit No. 09-003 shall not become effective until the ten calendar day appeal period following the approval of the entitlements has elapsed.
11. Conditional Use Permit No. 09-003 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
12. The Planning Commission reserves the right to revoke Conditional Use Permit No. 09-003 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
13. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
14. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays.
15. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's approval of entitlements.
16. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission.



CITY OF HUNTINGTON BEACH

2000 MAIN STREET

CALIFORNIA 92648

DESIGN REVIEW BOARD

Phone 536-5271
Fax 374-1540
374-1648

NOTICE OF ACTION

November 13, 2009

Douglas Pancake, AIA
Irwin Pancake Architects
245 Fischer Avenue, Suite B-2
Costa Mesa, CA 92626

APPLICATION: DESIGN REVIEW NO. 2009-006 (GOLDENWEST ASSISTED LIVING)

APPLICANT: Douglas Pancake, AIA, Irwin Pancake Architects, 245 Fischer Avenue, Suite B-2, Costa Mesa, CA 92626

PROPERTY OWNER: Burke Real Estate Group, 260 E. Baker Street, Suite 100, Costa Mesa, CA 92626

REQUEST: Review the design, colors, and materials of an 114,000 sq. ft. assisted living facility with 48 parking spaces and associated site improvements.

LOCATION: 17200 Goldenwest Street, 92647 (east side of Goldenwest Street, between Warner Avenue and Betty Drive)

DATE OF ACTION: November 12, 2009

The Design Review Board of the City of Huntington Beach took action on your application(s) on **November 12, 2009** and your application was recommended for approval to the Planning Commission. Attached to this letter are the recommended conditions of approval for your application.


Please be advised that the Design Review Board reviews the conceptual plan as a basic request for entitlement and forwards a recommendation to the Planning Commission. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements. Please note that there may be additional requirements prior to commencement of the project.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Design Review Board is only a recommendation and is not appealable. The recommendation of the Design Review Board will be forwarded to the Planning Commission for consideration. You will be notified of the pending hearing date.

ATTACHMENT NO. 6.1

If you have any questions, please contact Ethan Edwards, Associate Planner at (714) 536-5561 or via email at ethan.edwards@surfcity-hb.org or the Planning Department Zoning Counter at (714) 536-5721.

Sincerely,


Tess Nguyen, Secretary
Design Review Board

TN:EE

ATTACHMENTS:

Recommended Conditions of Approval: DR No. 09-006

c: Burke Real Estate Group, Property Owner
Herb Fauland, Planning Manager
Project File

ATTACHMENT NO. 6.2

ATTACHMENT NO. 1

RECOMMENDED CONDITIONS OF APPROVAL

DESIGN REVIEW NO. 2009-006

RECOMMENDED CONDITIONS OF APPROVAL - DESIGN REVIEW NO. 09-006

1. The site plan, floor plans, and elevations received and dated November 4, 2009 shall be the conceptually approved design.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in defense thereof.

ATTACHMENT NO. 6.3